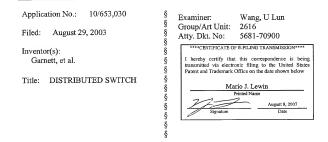
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

- SUN MICROSYSTEMS, INC. is the owner of all rights in the captioned application.
- 2. As sole owner in the captioned application, SUN MICROSYSTEMS, INC. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 7,209,358.
- 3. SUN MICROSYSTEMS, INC. hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

Application Serial No. 10/653,030 - Filed August 29, 2003

4. In making the above disclaimer, SUN MICROSYSTEMS, INC. does not

disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to

8156 and \$173 of U.S. Patent No. 7,209,358, as presently shortened by any terminal

disclaimers, in the event that any of such prior patents later: expires for failure to pay a

maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. \$1.321, has all

claims canceled by a reexamination certificate, is reissued, or is in any manner terminated

prior to the expiration of its full statutory term as presently shortened by any terminal

disclaimer.

The undersigned is an attorney of record.

The Commissioner is authorized to charge any additional fees that may be

required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel,

P.C. Deposit Account No. 501505\5681-70900\MJL.

Respectfully submitted,

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Reg. No. 54,268

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Date: August 9, 2007